

76-6-104 Reckless burning.

(1) A person is guilty of reckless burning if the person:

- (a) recklessly starts a fire or causes an explosion which endangers human life;
- (b) having started a fire, whether recklessly or not, and knowing that it is spreading and will endanger the life or property of another, either fails to take reasonable measures to put out or control the fire or fails to give a prompt fire alarm;
- (c) builds or maintains a fire without taking reasonable steps to remove all flammable materials surrounding the site of the fire as necessary to prevent the fire's spread or escape; or
- (d) damages the property of another by reckless use of fire or causing an explosion.

(2)

- (a) A violation of Subsection (1)(a) or (b) is a class A misdemeanor.
- (b) A violation of Subsection (1)(c) is a class B misdemeanor.
- (c) A violation of Subsection (1)(d) is:
 - (i) a class A misdemeanor if damage to property is or exceeds \$1,500 in value;
 - (ii) a class B misdemeanor if the damage to property is or exceeds \$500 but is less than \$1,500 in value; and
 - (iii) a class C misdemeanor if the damage to property is or exceeds \$150 but is less than \$500 in value.
- (d) Any other violation under Subsection (1)(d) is an infraction.

Amended by Chapter 193, 2010 General Session